

Gregson, Ashley

From: Gregson, Ashley
Sent: Monday, February 08, 2016 5:14 PM
To: 'lmarcy@clydesnow.com'
Cc: Hamilton, R. Blake (BHamilton@djplaw.com)
Subject: February 11 Scene Inspection

Lisa,

We are in receipt of your objection to our Rule 34 request for a site inspection at Mr. Chatwin's address. As Blake explained in his letter of January 19, 2016, the inspection is necessary for one of our experts to complete his report, making it appropriate for the expert discovery period. You did not respond to that letter.

Furthermore, Rule 34 does not require that the party's name be on the deed of the property being inspected, but rather merely requires that he have possession or control over it. Rule 34(a)(2). It is our understanding that Mr. Chatwin lives at this address and certainly has control over it for purposes of giving others permission to enter the premises.

Therefore, the reasons you have given for refusing to cooperate with the inspection are without merit. Please withdraw your objection and confirm that the site inspection can move forward as originally planned.

This is an attempt to meet and confer to resolve this discovery dispute. If we do not hear from you we will be filing an Expedited Motion to Compel at 10:00 tomorrow morning. Be advised that this dispute may result in additional fees and costs from our expert, who has already booked his flights and hotel, so we may also have to seek sanctions.

Ashley